

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEANDER ROBINSON,

Plaintiff,

Case No. 18-cv-13263
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER (1) GRANTING PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT (ECF NO. 10), (2) DENYING DEFENDANT'S AMENDED
MOTION FOR SUMMARY JUDGMENT (ECF NO. 12), AND
(3) REMANDING THIS ACTION FOR FURTHER
ADMINISTRATIVE PROCEEDINGS**

In this action, Plaintiff Leander Robinson challenges the denial of his application for Supplemental Security Income benefits under the Social Security Act. (*See* Compl., ECF No. 1.) Robinson and Defendant Commissioner of Social Security have now filed cross-motions for summary judgment. (*See* Motions, ECF Nos. 10, 12.)

On October 24, 2019, the assigned Magistrate Judge issued a Report and Recommendation in which he recommended that the Court grant Robinson's motion in part, deny the Commissioner's motion, and remand this action to the Commissioner for further administrative proceedings. (the "R&R"). (*See* R&R, ECF

No. 13.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.605.)

The Commissioner has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because the Commissioner has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant Robinson's Motion for Summary Judgment in part and deny the Commissioner's Amended Motion for Summary Judgment is **ADOPTED**.

IT IS FURTHER ORDERED that (1) Robinson's Motion for Summary Judgment (ECF No. 10) is **GRANTED IN PART** as set forth in the R&R, (2) the Commissioner's Amended Motion for Summary Judgment (ECF No. 12) is **DENIED**, and (3) this action is **REMANDED** to the Commissioner for further administrative proceedings consistent with the R&R and this order.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 9, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 9, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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